REMARKS

The present document is responsive to the Official Action of September 20, 2007. The Official Action rejected independent Claims 1, 13, and 19 (and several claims depending therefrom) under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Patent Application Number 2006/0221230 to Dutta *et al.* ("*Dutta*"). Claims 2-5 and 14-16 were rejected under 35 U.S.C. § 103 as being obvious over *Dutta* in view of U.S. Patent Number 6,831,682 to Silverbrook *et al.* Herein, all of the claim rejections are respectfully traversed. Reconsideration of the claims in view of the following remarks is respectfully requested.

I. Rejections Under Section 102

Considering independent Claim 1, this claim reads as follows:

> 1. A method of processing an image captured by a mobile camera telephone, said method comprising:
> digitizing the image to obtain Bayer data;
> processing the Bayer data to obtain image data; and
> extracting raw data from the image data.

Independent Claims 13 and 19 both respectively include recitations of "a data extractor for extracting raw data from the image file/data." Each of Claims 1, 13, and 19 was rejected based on *Dutta*.

Dutta generally discloses a mobile camera telephone, as well as a method for using such a device to record an image. The Official Action contends that *Dutta* "provides for a method of processing an image captured by a mobile camera telephone . . . said method comprising . . . extracting raw data from the image data (Fig. 3 element 26b, Para. 19 note the image processing block 26b, to produce image data 13, note the bayer data 11, first need to be stored, in storage devices such as element 2 or 4 in fig. 3, then producing image 13, by processing element 26b corresponds to extracting the raw data see para. 19)." *See* p. 3 of the Official Action. Paragraph 0019 of *Dutta* reads as follows:

The application processor 26 processes the [Bayer] data 11 using special image processing capabilities, provided by the camera image processing block 26b, to produce image data 13. The application processor 26 includes the central processing unit (CPU) block 26a of the telephone, which controls the operations of the telephone and, in particular, the input, output and the user applications available on the telephone. The application processor 26, for example, controls memory devices such as SDRAM 2 and multimedia memory card 4, to which image data 13 can be stored. It also gives some control to the digital baseband circuitry 6 which may be used to processes telecommunications made via the telephone 10.

To restate, paragraph 0019 of *Dutta* teaches the production of image data through processing Bayer data. Paragraph 0019 does not in any way disclose extracting raw or Bayer data from image data, as recited, in one form or another, in each of Claims 1, 13, and 19. The reference in the Official Action that "producing image 13, by processing element 26b corresponds to extracting the raw data" is technically incorrect, as image data and raw data are distinct entities, as is made clear by the specification of the present application (and, for that matter, *Dutta*). For at least this reason, Applicants respectfully submit that Claims 1, 13, and 19, and the claims depending therefrom, are patentable over *Dutta*.

II. Rejections Under Section 103

Applicants note that *Dutta* qualifies as prior art to the present application, if at all, under 35 U.S.C. § 102(e). Both *Dutta* and the present application are assigned to Nokia Corporation of Espoo, Finland, the assignments being recorded at Reel No. 017886, Frame No. 0352 and Reel No. 015376, Frame No. 0880, respectively. Further, the assignment of *Dutta* to Nokia Corporation (or an obligation to so assign) existed at the time the claimed invention was made. As such, the subject matter of *Dutta* and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person, and under 35 U.S.C. § 103(c)(1), *Dutta* cannot be relied upon in formulating an obviousness rejection of the claims of the present application. For at least this reason, and the remarks of Section I of this document notwithstanding, Applicants respectfully submit that the rejections of Claims 2-5 and 14-16 are hereby traversed.
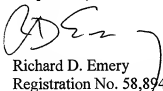
CONCLUSION

In view of the foregoing remarks, it is respectfully submitted that all of the claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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